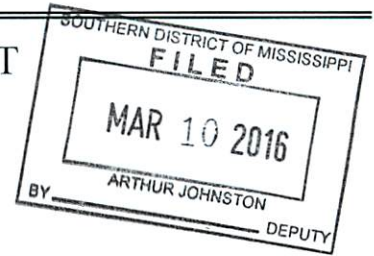


AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Mississippi

United States of America
v.
Berenice Benitez-Jaramillo
and
Daniel Sanchez Penaloza

Case No. 2:16mj2-MTP

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 9, 2016 in the county of Wayne in the
Southern District of MS, Eastern Division, the defendant(s) violated:

Code Section

21 U.S.C. 841(a)(1)

Offense Description

Possession with Intent to Distribute a Controlled Substance, to wit, more than 5 kilograms or more of a mixture or substance containing a detecable amount of cocaine hydrochloride, a schedule II narcotic drug controlled substance.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein

☒ Continued on the attached sheet.

Complainant's signature

Chris Lowe, Task Force Agent DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/10/2016
*Judge's signature*City and state: Hattiesburg, MS

Michael T. Parker, U.S. Magistrate

Printed name and title

AFFIDAVIT

I, Chris Lowe, being first duly sworn, state as follows:

Introduction

I am a Task Force Officer (TFO) with the United States Department of Justice, Drug Enforcement Administration (DEA). I have been a Task Force Officer with the DEA since February 2014. I have been employed by the Lamar County Sheriff's Office since 1997. I am currently assigned to the Forrest County M.I.T. located in Hattiesburg, MS. During the course of my employment, I have participated in numerous investigations of illegal narcotics trafficking and violations of Title 21 United States Code.

Probable Cause Factual Basis

Your affiant states that on March 9, 2016 at approximately 3:00 p.m., Wayne County Sheriff's Deputy Johnny Smith was at a safety checkpoint on Myrick Strengthford Road in Wayne County. Wayne County Sheriff's Deputy Johnny Smith encountered a 2004 Ford F-250 driven by Berenice BENITEZ-JARAMILLO. Deputy Smith asked BENITEZ-JARAMILLO for her driver's license. BENITEZ-JARAMILLO did not have a driver's license but showed Deputy Smith a Mexico identification card. Also in the vehicle was passenger Daniel Sanchez PENALOZA who also did not have a driver's license. BENITEZ-JARAMILLO could not give a logical explanation for why she and her passenger, Daniel Sanchez PENALOZA, were on Myrick Strengthford Road coming from Houston, Texas. Based on Deputy Smith's training and experience, Deputy Smith asked BENITEZ-JARAMILLO for consent to search the vehicle. BENITEZ-JARAMILLO gave Deputy Smith verbal consent to search the vehicle as witnessed by Wayne County Deputy Macey Torrey and Jones County Deputy Jeff Monk. During the search, Deputy Smith noticed packing tape on boxes of sheetrock mud that was not consistent with normal packaging for sheetrock mud. Deputy Smith opened one of the boxes and inside felt three bricks of an unknown substance. Deputy Smith and other deputies continued their search of the vehicle and found a total of 70 bricks of the unknown substance. The substance was field tested and gave a positive response for Cocaine. Agents with the DEA/Forrest County Major Investigations Team were called to the scene and took custody on the cocaine. Agents weighed the cocaine the total weight was 74.3 Kilograms.

BENITEZ-JARAMILLO and PENALOZA were then transported to the Wayne County Sheriff's Office where they were processed according to DEA policy pending an Initial Appearance in Federal Court.

CONCLUSION

Based upon my experience as a DEA Task Force Officer and the facts listed above involving Berenice BENITEZ-JARAMILLO and Daniel Sanchez PENALOZA, it is my opinion that there is probable cause to believe that Berenice BENITEZ-JARAMILLO

and Daniel Sanchez PENALOZA committed violations of Title 21 U.S.C. 841 (a) (1) in the Southern District of Mississippi.



Chris Lowe
Task Force Officer
Drug Enforcement Administration

Sworn and subscribed to me this 10 day of March, 2016.



UNITED STATES MAGISTRATE JUDGE